

United States District Court
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

SHERRON HERNANDEZ

CRIMINAL COMPLAINT

CASE NUMBER: 99-M 00093-LPC

(Name and Address of Defendant)

II

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about March 9, 1999, in Suffolk county, in the District of Massachusetts defendant(s) did, (Track Statutory Language of Offense) move and travel in interstate commerce with the intent to avoid prosecution for a violation of Massachusetts General Laws chapter 266 Section 30 which is punishable as a felony,

in violation of Title 18 United States Code, Section(s) 1073

I further state that I am a(n) Special Agent, FBI and that this complaint is based on the following facts:

set forth in the attached Affidavit of James J. Trahon which is incorporated herein for all purposes.

Continued on the attached sheet and made a part hereof: Yes No

JAMES J. TRAHON

Signature of Complainant

Sworn to before me and subscribed in my presence,

11-9-99

Date

at

Boston, Massachusetts

City and State

LAWRENCE P. COHEN
 United States Magistrate Judge
 Name & Title of Judicial Officer

Signature of Judicial Officer

AFFIDAVIT

I, James J. Trahon, Special Agent, Federal Bureau of Investigation (FBI), being duly sworn, upon my oath depose and state:

1. The FBI has been requested to assist the Suffolk County District Attorney's Office in the location and apprehension of SHERRON FERNANDEZ (FERNANDEZ), date of birth April 14, 1979.

2. I have been informed by Sergeant Detective Bruce Holloway of the Suffolk County District Attorney's Office as follows:

a. On March 21, 1997, FERNANDEZ, while in the custody of the Division of Youth Services, City of Boston, attempted to send a letter, which was intercepted. The intercepted letter was addressed to known fellow gang members and directed them to go to a witness's house and persuade the witness to state that he identified the wrong person or to fail to appear in court.

b. On April 4, 1997, having been charged with three counts of Attempt to Commit a Crime, FERNANDEZ was arraigned in Suffolk Superior Court. On September 26, 1997, FERNANDEZ pleaded guilty and the court imposed a suspended sentence of 18 months' imprisonment with a term of three years' probation.

c. The crime of Attempt to Commit a Crime is a felony under Massachusetts General Laws, chapter 274, section 6.

d. On March 7, 1999, FERNANDEZ was arrested by the Boston Police Department after being stopped, along with others, in a

vehicle at the intersection of Lithgow and Talbot Streets in Dorchester, Massachusetts. The vehicle was stopped after being identified as fleeing the area of a shooting in the vicinity of 85 Hazelton Street in Mattapan, Massachusetts. A passenger who had been apprehended after leaving the vehicle shortly before the vehicle was stopped was later identified as the shooter. A handgun was observed on the rear seat of the vehicle at the time of the stop.

e. The following day, on March 8, 1999, FERNANDEZ was released on bail from the custody of the Boston Police Department with direction to appear in court on the following day for arraignment. The next day, on March 9, 1999, FERNANDEZ failed to appear in court for arraignment.

f. On April 1, 1997, an indictment was returned in the Suffolk County Superior Court charging FERNANDEZ with the offense of Accessory After the Fact arising from the March 7, 1999 shooting. An arrest warrant on that indictment was issued the same day.

g. The crime of Accessory After the Fact is a felony under Massachusetts General Laws, chapter 274, section 4.

h. On April 16, 1999, a warrant also was issued by the Suffolk County Superior Court for the arrest of FERNANDEZ for violating the terms of the probationary sentence imposed on FERNANDEZ on September 26, 1997.

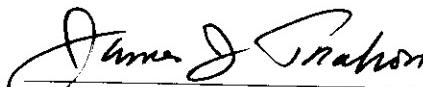
i. According to the Boston Police Department, FERNANDEZ

may be living in the State of Virginia, where he has friends and contacts. Based upon this information along with FERNANDEZ's failure to appear in court on March 9, 1999, it is believed that FERNANDEZ has fled the Commonwealth of Massachusetts in order to avoid prosecution and custody and confinement after conviction for the pending felony charge and the probation violation charge.

The Suffolk County District Attorney's Office will rendite FERNANDEZ if he is apprehended outside the District of Massachusetts.

3. Attached hereto and made a part hereof is a copy of the warrant commanding the arrest of FERNANDEZ for the crime of Accessory After the Fact.

Signed under the pains and penalties of perjury this 9th day of November, 1999.



JAMES J. TRAHON
Special Agent
Federal Bureau of Investigation

Subscribed and sworn to before me this 9th day of November, 1999.

LAWRENCE P. COHEN
United States Magistrate Judge



Suffolk Superior Court

TO ANY AUTHORIZED OFFICER:

REASON FOR WARRANT

- Representation of prosecutor that defendant may not appear unless arrested.
- Defendant failed to appear after being summoned to appear.
- Defendant failed to appear after recognizing to appear.
- Defendant failed to pay court ordered monies in the amount of \$_____.
- Defendant failed to pay non-criminal motor vehicle fine in the amount of \$_____.
- Defendant failed to appear for Probation Surrender Hearing
- Other: _____

WARRANT		SUFFOLK SUPERIOR COURT					
Suffolk Superior		NAME, ADDRESS AND ZIP CODE OF DEFENDANT					
FERNANDEZ, SHERRON 28 W COTTAGE STREET APT 3 BOSTON, MA							
DATE OF BIRTH	SEX	RACE	HEIGHT	WEIGHT	EYES	HAIR	
04/14/1979	M	B	5'07"	160	BRO	BLK	
C.C. #	SOCIAL SECURITY #						
990116972	013-60-0934						
DATE OF OFFENSE	PLACE OF OFFENSE						
03/07/1999	BOSTON						
COMPLAINANT		POLICE DEPARTMENT					
		BOSTON PD AREA C-3					
DATE OF COMPLAINT	RETURN DATE AND TIME						
04/01/1999							
COUNT-OFFENSE 1 - 274/4 ACCESSORY AFTER THE FACT c274 §4							

on 03/07/1999, knowing that KENDAR BRITE had committed a felony, to wit: ASSAULT AND BATTERY, did harbor, conceal, maintain or assist such person, with the intent that such person should avoid or escape detention, arrest, trial or punishment, in violation of G.L. c.274, §4. (NO DISTRICT COURT FINAL JURISDICTION IN ADULT SESSION.)

COUNT-OFFENSE

COUNT-OFFENSE

COUNT-OFFENSE

THE COURT HAS ORDERED THAT A WARRANT DEFAULT WARRANT ISSUE AGAINST THE ABOVE DEFENDANT

Therefore you are hereby commanded to arrest the above named defendant and bring the defendant forthwith before this court to answer to the offense(s) listed above and to be dealt with according to law.

FIRST JUSTICE

WITNESS:

DATE OF ISSUE

04/01/1999

CLERK-MAGISTRATE/ASST. CLERK

Dominic DiGiovilo